

# Exhibit 57:

John Doe C  
Deposition Transcript (redacted)

4 - - - - - )  
5 JOHN DOES A, B, C, D, E, F, G, H, )  
6 MARY DOE and MARY ROE, on behalf )  
of themselves and all others )  
similarly situated, )  
7 )  
8 Plaintiffs, )  
9 )  
10 -vs- ) No. 2:22-cv-10209  
11 ) Judge Goldsmith  
12 GRETCHEN WHITMER, Governor of the ) Mag. Ivy, Jr.  
State of Michigan, and COL. JOSEPH)  
GASPER, Director of the Michigan )  
State Police, in their official )  
capacities, )  
13 )  
Defendants. )

14

## 15 **R E M O T E D E P O S I T I O N**

16 of JOHN DOE C, a witness called by Defendants,  
17 taken via Zoom before Tamara Staley Heckaman,  
18 Certified Shorthand Reporter and Notary Public, on  
19 Monday, April 10, 2023, noticed for the hour of  
20 1:30 p.m.

21

22

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 8 -and-

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15 On behalf of Plaintiffs.

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 20 By  
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22 On behalf of Defendants.

23 EXAMINATION INDEX

24 ATTORNEY'S NAME EXAMINATION RE-EXAMINATION  
 25 BY MR. JAMISON: 4  
 18 BY MS. DAVIDSON: 54  
 19 \* \* \*

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3

1 Remote Deposition  
 2 March 31, 2023

3 1:32 p.m.

4 R E C O R D

5 COURT REPORTER: The attorneys  
 6 participating in this deposition acknowledge that  
 7 I am not physically present in the deposition room  
 8 and that I will be reporting this deposition  
 9 remotely. They further acknowledge that in lieu  
 10 of an oath administered in person the witness will  
 11 be sworn remotely and his testimony in this matter  
 12 is under penalty of perjury. The parties and  
 13 their counsel consent to this arrangement and  
 14 waive any objections to this manner of reporting.

15 Please indicate your agreement by  
 16 stating your name and your agreement on the  
 17 record.

18 MR. JAMISON: Eric Jamison, I agree  
 19 to the waiver.

20 MS. DAVIDSON: Syeda Davidson, I  
 21 agree.

22 MR. DOE C: Do I say my full name or  
 23 John Doe C?

24 MS. DAVIDSON: John Doe C.

25 MR. DOE: John Doe C, I accept.

1 JOHN DOE C,

2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. JAMISON:

5 Q. Good afternoon, my name is Eric Jamison  
 6 and I'm an assistant attorney general, and I  
 7 represent the two defendants that you're suing in  
 8 this lawsuit, which are Governor Whitmer and  
 9 Colonel Gasper, who is the director of the State  
 10 Police. I noticed your deposition in this case,  
 11 which is captioned Does v Whitmer, and it's case  
 12 number 2:22-cv-10209, in the District Court of the  
 13 Eastern District of Michigan in front of the  
 14 Honorable Judge Goldsmith.

15 There's a protective order in place  
 16 in this case, and that's found in the record at  
 17 ECF number 88, page ID 2389 through 2395, which  
 18 protects your identity.

19 Tami, could you confirm that you've  
 20 read the protective order and signed the  
 21 acknowledgement?

22 COURT REPORTER: I have, yes.

23 MR. JAMISON: And, Counsel, will you  
 24 confirm that the person tendered is, in fact, John  
 25 Doe C?

5

1 MS. DAVIDSON: Yes.

2 BY MR. JAMISON:

3 Q. So, Mr. Doe, I'll do my best just to  
 4 refer to you as John Doe throughout the  
 5 deposition, and I'm going to try my best not to  
 6 ask you any questions that will identify you, like  
 7 the street that you live on or the name of your  
 8 employer or any family members or anything like  
 9 that, so hopefully that will make things easier on  
 10 the end for your attorney and for us.

11 Have you had your deposition taken  
 12 before?

13 A. Yes.

14 Q. And when was the last time you had your  
 15 deposition taken?

16 A. I don't remember the exact year, but  
 17 it -- it was three, like two or three years ago, I  
 18 believe. I'm not sure.

19 Q. And what was -- what lawsuit was your  
 20 deposition taken in?

21 A. What do you mean, what lawsuit?

22 Q. Like what was the lawsuit about?

23 A. About what we're talking about now, the  
 24 registry.

25 Q. Okay, got it. And were you represented

1 by the ACLU in that lawsuit?

2 **A. Yes.**

3 Q. And I'll just review the rules fairly  
4 quickly about depositions. So you can't give a  
5 verbal response because Tami won't be able to  
6 record -- or, I'm sorry, you have to give verbal  
7 responses. You can't just shake your head --

8 **A. Okay.**

9 Q. -- because Tami won't be able to record  
10 that. We have to try to avoid talking over each  
11 other because if I'm asking a question, then you  
12 start to jump in with an answer, Tami won't be  
13 able to record that either. So I'll do my best to  
14 wait to ask you any follow-up questions until  
15 you've fully responded, and if you can wait to  
16 answer until I've fully gotten the question out.

17 And if you don't understand the  
18 question you can ask me to rephrase it. I'm not  
19 trying to trick you with the way that I'm asking  
20 any questions. And if you answer a question I'll  
21 assume that you understood the question that I  
22 asked; is that fair?

23 **A. Yes.**

24 Q. Okay. Are you taking any medication or  
25 under the influence of any substances that might

7 affect your memory?

2 **A. No.**

3 Q. Or anything that might affect your  
4 ability to answer questions truthfully today?

5 **A. No.**

6 Q. Aside from the previous lawsuit involving  
7 the same -- the SORA, have you been involved in  
8 any other lawsuits?

9 **A. No.**

10 Q. Did you review any documents to prepare  
11 for this deposition?

12 **A. Just a document when I first did the  
13 deposition the first time.**

14 Q. And that was several years ago?

15 **A. Yes.**

16 Q. And do you still live in Michigan?

17 **A. Yes.**

18 Q. Is that the west part of Michigan?

19 **A. Yes.**

20 Q. And are you currently married?

21 **A. Yes.**

22 Q. And do you have any children?

23 **A. I have five, two with a previous  
24 relationship and three with my wife now.**

25 Q. And what ages are your kids?

1 **A. [REDACTED]**

2 Q. And the -- are any of the children  
3 children that you had with the victim that led to  
4 your criminal sexual conduct charge?

5 **A. Yeah, my wife, I have three with her,  
6 yes, the [REDACTED], the [REDACTED]**

7 Q. So the way I understood your complaint,  
8 though, the -- you had sex with the -- the victim,  
9 she was [REDACTED] she became impregnated. Was that  
10 child born?

11 **A. Yes, um-hum.**

12 Q. And how old is that child?

13 **A. She is [REDACTED]. She'll be [REDACTED].**

14 Q. So you have a [REDACTED]-year-old, a [REDACTED]-year-old,  
15 a [REDACTED]-year-old, a [REDACTED] year-old, and a [REDACTED]-year-old?

16 **A. Yes.**

17 Q. And the [REDACTED]-year-old, [REDACTED] year-old, and  
18 [REDACTED]-year-old are all with the same woman?

19 **A. Not the same -- the three that I got with  
20 my wife now? Yes.**

21 Q. Okay.

22 **A. They're [REDACTED].**

23 Q. And then the [REDACTED]-year-old children,  
24 are those with the same women or are those  
25 different women for the mothers?

1 **A. They're -- they're the same mom with the  
2 21 and 15.**

3 Q. So my understanding is that your first  
4 CS -- or the CSC conviction that led to you being  
5 on the registry, that occurred around the time you  
6 were 23; is that right?

7 **A. Yes.**

8 Q. And can you tell me what types of jobs  
9 you had between the ages of 18 and 23?

10 **A. I worked for automotive companies.**

11 Q. And what does that mean, like in  
12 factories, in sales?

13 **A. Factories, factories, sorry.**

14 Q. And did you work for multiple companies  
15 or was it the same company the whole time?

16 **A. I worked for multiple because some  
17 were -- were hourly, let go of some.**

18 Q. And why were you let go?

19 **A. Because of the registry.**

20 Q. Okay. So how many companies would you  
21 say that you worked for between the ages of 18 and  
22 23?

23 **A. I would say three or four.**

24 Q. And what was your approximate level of  
25 income when you worked at those companies?

1       **A. How much I was making per hour?**

2       **Q. Yeah.**

3       **A. I would say like 12 to 13 dollars an**  
4       **hour.**

5       **Q. And then since your conviction when you**  
6       **were 23 what types of jobs have you held?**

7       **A. Did I hold?**

8       **Q. Yeah.**

9       **A. I was working for the -- for an**  
10      **automotive factory when I was around that age, 23.**

11      **Q. And approximately how much money were you**  
12      **making then?**

13      **A. I would say like the same, 12, 13.**

14      **Q. And what have you done since you worked**  
15      **there?**

16      **A. What have I done since I worked --**

17      **Q. Yeah, what types of jobs. I'm trying to**  
18      **understand your job history, so from what I heard**  
19      **today you worked at some automotive companies from**  
20      **the time you were 18 to 23, and then from 23 on**  
21      **I'm trying to understand what jobs --**

22      **A. So mainly --**

23      **Q. -- you've had.**

24      **A. -- I've worked for factories, and then I**  
25      **got the job that I've got now that I've been there**

1       **Q. All right. So your current employer,**  
2       **they have no idea of your criminal history to --**

3       **A. No.**

4       **Q. -- your knowledge?**

5       **A. No.**

6       **Q. Did you have to fill out an application**  
7       **when you applied for that job; do you remember?**

8       **A. I did not, no.**

9       **Q. And how did you get that job, then,**  
10      **without filling out an application?**

11      **A. A friend of mine was working there and**  
12      **got me the job.**

13      **Q. And what kind of sales is it?**

14      **A. Cell phone.**

15      **Q. And then the times -- we'll say from the**  
16      **time you were 23 until the time you got this job**  
17      **at a cell phone company, those factories you**  
18      **worked at, did you have to disclose to them your**  
19      **criminal history?**

20      **A. Not at the time because I was already**  
21      **employed by the -- by them, so I didn't think of**  
22      **telling them when I got that offense, if it makes**  
23      **sense.**

24      **Q. And then after you got your offense is**  
25      **the next job you had was at a cell phone company?**

11

13

1       **for ten years.**

2       **Q. What industry is the job in, the job that**  
3       **you have now?**

4       **A. Sales.**

5       **Q. And what's your approximate level of**  
6       **income in the sales job that you have?**

7       **A. I make like \$10 an hour to 11.**

8       **Q. In the current job that you have that**  
9       **you've had for ten years, are they aware of**  
10      **your --**

11      **A. No.**

12      **Q. -- criminal -- they have no idea of your**  
13      **criminal history?**

14            **MS. DAVIDSON: Can I just jump in**  
15            **here for a minute? Mr. Doe, you do have to let**  
16            **Mr. Jamison finish his question even if you think**  
17            **you know where he's going with it.**

18            **THE WITNESS: Oh, okay, sorry.**

19            **MS. DAVIDSON: That's okay, it's**  
20      **easier for the court reporter.**

21            **THE WITNESS: Okay, sorry.**

22      **BY MR. JAMISON:**

23      **Q. She has the hardest job right now just**  
24      **trying to --**

25      **A. No, I apologize.**

1       **A. Correct, yeah, yes.**

2       **Q. And in -- during the time that you've**  
3       **been at the cell phone company have you been on**  
4       **the public registry at all?**

5       **A. I have, yes.**

6       **Q. And do you know if you're currently on**  
7       **the public registry?**

8       **A. I am not at the moment.**

9       **Q. So is it fair to say that even being on**  
10      **the public registry you're able to maintain**  
11      **employment at the same employer that you're still**  
12      **at?**

13      **A. If I would have -- okay, say what? Can**  
14      **you repeat that, please?**

15      **Q. Yeah, so is it accurate or is it fair to**  
16      **say that you are on the public registry and you're**  
17      **still at the same job that you were at when you**  
18      **were on the public registry?**

19      **A. He doesn't know of -- of that so I can't**  
20      **really answer that. I don't know how to answer**  
21      **that.**

22      **Q. Okay. Have you been on the public**  
23      **registry in the last ten years?**

24      **A. Yes, I have.**

25      **Q. Do you know when you came off the public**

1 registry?

2 **A. Not -- not exactly, no.**

3 **Q. Do you know approximately?**

4 **A. I would say six months to a year, I**  
 5 **believe. I don't -- I don't remember. I don't**  
 6 **recall the time, how long it's been.**

7 **Q. Did you -- did you attend college from**  
 8 **the time that you were 18 to 23?**

9 **A. No.**

10 **Q. Did you try to attend -- did you ever**  
 11 **apply to a college from the time you were 18 to**  
 12 **23?**

13 **A. I have asked but with me being on the**  
 14 **registry it made it difficult to do all that**  
 15 **because they look into the registry.**

16 **Q. Yeah, I understand. I'm focusing on the**  
 17 **period of time, though, before you were on the**  
 18 **registry --**

19 **A. Oh, before --**

20 **Q. -- from the age of 18 to 23?**

21 **A. -- I was on the registry? I was -- I**  
 22 **wasn't -- I didn't finish high school so now and**  
 23 **then I would try to go back to get my GED at**  
 24 **least.**

25 **Q. Have you obtained your GED?**

15

1 **A. Yes.**

2 **Q. And do you recall what year that was?**

3 **A. I do not. It's been a while. I don't**  
 4 **remember the date in there.**

5 **Q. Was that before or after your conviction?**

6 **A. After, after.**

7 **Q. And after your conviction did you ever**  
 8 **apply to college?**

9 **A. I -- I haven't applied but I tried to ask**  
 10 **the school that I attended the GED, and they told**  
 11 **me they looked into the registry and they**  
 12 **basically told me that I would have to go through**  
 13 **a process to get approved by the state and all**  
 14 **that, so I've never bothered to do it.**

15 **Q. Did you ever want to attend college?**

16 **A. For sure, of course, so I can better --**  
 17 **get better pay, better living, for sure.**

18 **Q. Did you ever look into it further beyond**  
 19 **what the GED school told you?**

20 **A. I have and it's been -- the law, how it**  
 21 **is is kind of -- I don't understand it, so I**  
 22 **didn't really pursue it because of that. I don't**  
 23 **understand what the requirements are, they change**  
 24 **it all the time, so I don't -- I didn't do it**  
 25 **because of that. I don't understand it, so I**

1 **didn't go further to that.**

2 **Q. Did you ever seek out the assistance of**  
 3 **an attorney to find out what the limitations might**  
 4 **be?**

5 **A. The only help I got was with ACL -- I**  
 6 **didn't have money to pay for an attorney like**  
 7 **that.**

8 **Q. And did you ever do any research yourself**  
 9 **to find out what the limitations might be on**  
 10 **attending college?**

11 **A. Not after the -- the series of what I had**  
 12 **to do to go to school, you know. It's just the**  
 13 **law under that was so difficult for me, so I never**  
 14 **even bothered to do it after that because the law**  
 15 **is just -- I don't understand it. Like it's hard**  
 16 **to follow and I don't get it, so I didn't pursue**  
 17 **it, no.**

18 **Q. Did you ever attend a trade school?**

19 **A. Trade school, like what's that?**

20 **Q. Like mechanic school, HVAC, anything like**  
 21 **that?**

22 **A. No.**

23 **Q. Did you ever try to attend a trade**  
 24 **school?**

25 **A. Where I did my GED I tried to, but,**

17

1 **again, they looked into the registry and obviously**  
 2 **I wasn't able to be there, but I -- I was there**  
 3 **because of the my probation so they basically had**  
 4 **to have me there. So I didn't pursue it because**  
 5 **of the law that it requires everything to do I**  
 6 **don't understand it, so I didn't bother to do --**  
 7 **continue to do it.**

8 **Q. Do you have any sort of professional**  
 9 **licenses?**

10 **A. Just a driver's license.**

11 **Q. Would you say it's difficult for you to**  
 12 **find employment because of your CSC conviction?**

13 **A. My registry, yes. I believe so, yes, my**  
 14 **registry.**

15 **Q. And what makes you think it's the**  
 16 **registry rather than your conviction?**

17 **A. Because now that I'm not on the registry**  
 18 **publicly I can do things with my kids. Like I**  
 19 **feel more comfortable. I don't feel like I'm**  
 20 **being watched and, how do you say, like there --**  
 21 **you can feel the difference. Before when I was on**  
 22 **it you can feel people like talking about it. I**  
 23 **can overhear those things. People don't think I**  
 24 **might be hearing but I do.**

25 **Q. I'm asking about employment, though, so**

1 do you think it's more difficult to find  
 2 employment because of your CSC conviction?

3 **A. On the registry, yes.**

4 Q. Okay, so what makes you think that being  
 5 on the registry makes it more difficult to find  
 6 employment?

7 **A. Because once when I was employed in a  
 8 factory because of the registry, someone knew I  
 9 was on the registry, and that's when I lost my job  
 10 because they looked in the registry and they saw  
 11 that I was on it.**

12 Q. And now that you're off the registry you  
 13 haven't -- have you sought to obtain other  
 14 employment?

15 **A. I have not because, you know, of the law.  
 16 I don't understand the registry as it is now, and  
 17 I've been with this employer for ten years. I  
 18 don't want to risk the chance of me looking for  
 19 another job. Even though at the moment I'm off  
 20 the registry, public registry, but I just don't --  
 21 I can't afford to take that chance.**

22 Q. Do you know if employers ask about  
 23 criminal history on applications?

24 MS. DAVIDSON: Objection, calls for  
 25 speculation. Sorry, we talked at the same time.

1 MS. DAVIDSON: And same objection,  
 2 and you can still answer.

3 THE WITNESS: I say the registry  
 4 because that was the issue before. Like me being  
 5 on the public registry everyone and anyone can  
 6 see. If it's just the employer that's different  
 7 but it's not like that. Once the public sees it  
 8 they can -- they can go to the -- like I lost my  
 9 job because of me being on the registry.

10 BY MR. JAMISON:

11 Q. Yeah, and you're no longer on the  
 12 registry, so I'm asking do you think, if you  
 13 wanted to look for a different job tomorrow do you  
 14 think it would be difficult for you to find  
 15 another job tomorrow because of your felony that's  
 16 on -- currently on your record?

17 **A. I don't know how to answer that because I  
 18 didn't -- I'm not seeking for another job because  
 19 I'm with my employer now that I've been with for  
 20 ten years, so I -- I don't know how to answer  
 21 that. I'm not seeking for another job at the  
 22 moment.**

23 Q. Understood. What type of housing did you  
 24 live in from the age of 18 to 23? Did you have a  
 25 home; did you live in an apartment; did you live

19

21

1 How would you like to clarify that?

2 BY MR. JAMISON:

3 Q. Yeah, could you just answer the question  
 4 again, do you know if employers ask about criminal  
 5 history on applications?

6 **A. They do, yes.**

7 Q. And do you have any friends or family  
 8 members that have felony records?

9 **A. Not that I know of, no.**

10 Q. Do you think it might be harder to obtain  
 11 employment if you have a felony on your record?

12 **A. With the --**

13 MS. DAVIDSON: Objection, calls for  
 14 speculation. You can answer still.

15 THE WITNESS: With the registry I  
 16 believe, yes, it's harder for me to get  
 17 employment, yes, elsewhere or if I looked  
 18 elsewhere, yes.

19 BY MR. JAMISON:

20 Q. Yeah. My question's a little bit  
 21 different, though, because from what I understand  
 22 you're not currently on the registry, so my  
 23 question is do you think that your felony  
 24 conviction will make it more difficult for you to  
 25 obtain employment?

1 with family members?

2 **A. So I was living with family members.**

3 Q. And what type of housing did you live in  
 4 after your conviction?

5 **A. I was living with my family members.**

6 Q. So your housing arrangement didn't change  
 7 after your conviction?

8 **A. It did, yes.**

9 Q. And how did it change?

10 **A. Me being on the registry forced my mother  
 11 to -- I couldn't live with my mother. Then  
 12 because I was on the registry again they -- they  
 13 told her I had to -- I can't live there.**

14 **And then I moved in with my sister,  
 15 and the same thing, since I was on the registry I  
 16 couldn't be in those apartments, yeah.**

17 Q. And what type of housing do you live in  
 18 now?

19 **A. I live with my wife at a house. It's my  
 20 father-in-law's house, so that's why I don't have  
 21 an issue.**

22 Q. And how long have you lived in that  
 23 current house?

24 **A. I would say like -- I don't really  
 25 remember exactly when -- how long it's been. I**

1 **would say six to eight years.**

2 Q. So you -- is it accurate to say that  
3 you've lived in that house when you're on the  
4 registry and now you're off the registry?

5 A. Yes.

6 Q. Do you remember when you were first  
7 placed on the public registry?

8 A. The exact date, no.

9 Q. No, just approximately.

10 A. I believe it was 2006, 2007, around  
11 there. I'm not really sure of exact date and  
12 year. It's one of those two years.

13 Q. And you were around 23 years old at the  
14 time?

15 A. Yes. I've got to change my ear piece  
16 right quick, hold on.

17 Q. Okay.

18 A. Sorry. You can still talk. I'm just  
19 changing my ear piece.

20 Q. All right, got it. I think I already  
21 asked you this, but you don't recall when you were  
22 removed from the public registry, because you're  
23 no longer on the public registry, right?

24 A. Correct, at the moment I'm not, but I  
25 don't remember the exact date that I was off the

23

25

1 registry, no.

2 Q. And I think you said you thought it was  
3 in the last year or so or 18 months or something;  
4 does that sound right?

5 A. (Loss of transmission.)

6 Q. We can't hear you very well. You're  
7 going to have to switch your audio.

8 MS. DAVIDSON: We can't hear you.

9 THE WITNESS: Now?

10 BY MR. JAMISON:

11 Q. Yeah, that's better.

12 A. Sorry.

13 MR. JAMISON: All right. Tami, did  
14 you catch all of that?

15 COURT REPORTER: I didn't because I  
16 couldn't really hear him, so I didn't want to  
17 guess what he was saying.

18 BY MR. JAMISON:

19 Q. Okay, let me back up a minute then. So I  
20 think you already said that the last six -- six  
21 months to a year ago you think you were removed  
22 from the public registry?

23 A. Around six months to a year. I'm not  
24 sure of the exact date.

25 Q. Okay. I want to talk a little bit about

1 the situation that led to you being convicted, you  
2 know, the CSC conviction, and I'll ask you a few  
3 questions. Can you hear me?

4 A. Say what now?

5 Q. Yeah, can you hear me now?

6 A. I can hear you now, yeah. Sorry, I don't  
7 know what's going on.

8 Q. So I'm going to ask you a series of  
9 questions about what led to you being on the  
10 registry. I'll refer to that as the CSC  
11 conviction, but just to be clear, do you have any  
12 other criminal convictions on your record?

13 A. No.

14 Q. Okay. So I'll ask you questions about  
15 your CSC conviction, and I'm talking about what's  
16 in the lawsuit. It says it was in 2005 that you  
17 had some sort of relationship with a girl and  
18 that's what led to you being on the registry. So  
19 at the time you were 23 and the victim was  
20 15-years-old; is that right?

21 A. Yes.

22 Q. And if I'm doing my math right at that  
23 time you already had one child who was about  
24 [REDACTED]-years-old?

25 A. [REDACTED], [REDACTED]-years-old.

23

25

1 Q. Okay. So you were about 20 years old  
2 when you had the first child?

3 A. Yes.

4 Q. Had you ever been to a nightclub before?

5 A. Yes.

6 Q. And how often did you go to the  
7 nightclub?

8 A. Weekends. It depends if I felt to go out  
9 that weekend.

10 Q. Was it a fairly common occurrence for you  
11 to go?

12 A. At the time, yes.

13 Q. Had you ever snuck into a nightclub  
14 before you were 18?

15 A. No.

16 Q. Had you ever heard of anyone sneaking --  
17 underage sneaking into a nightclub?

18 A. I mean, not that I -- I never snuck in so  
19 I wouldn't -- I can't speak on other people. I  
20 don't know.

21 Q. You never heard of that, though, that  
22 underage people want to get into nightclubs?

23 A. Have I heard it, yes, but do I know  
24 somebody that did it, no.

25 Q. And the victim, you met her at the

1 nightclub in the summer of 2005; is that right?

2 **A. I believe so. I don't remember the exact**  
 3 **date and year.**

4 Q. And can you tell me what happened when  
 5 you met her at the nightclub?

6 **A. It was an 18 and over nightclub. You**  
 7 **have to show ID. And, you know, I seen her, I**  
 8 **said -- we talked, and one thing led to another.**

9 Q. And did you have sex with her that night?

10 A. I don't -- I don't recall. I don't  
 11 remember. It's been so long I don't remember.

12 Q. Do you recall how many times you had sex  
 13 with her?

14 A. I don't remember, no.

15 Q. Was it more than once?

16 A. It's been more than once, yes.

17 Q. Was it on more than one occasion?

18 A. I would say yes.

19 Q. Was it more than ten times?

20 A. Yes.

21 Q. Was it more than 50 times?

22 A. I don't know, like, I don't know. I  
 23 can't keep track of how many times we had sex.

24 Q. Okay. Did you -- were you in a dating  
 25 relationship with her?

1 nightclub and when you were charged with a crime.

2 **A. I'm not understanding the question.**

3 **Like, I'm not understanding what you're trying to**  
 4 **tell me.**

5 Q. All right, I can reask it. So from what  
 6 I understand you met the victim in the summer of  
 7 2005 at a nightclub; is that right?

8 A. Yes.

9 Q. And then in -- let's see, either in 2005  
 10 or 2006 you were charged with criminal sexual  
 11 conduct; is that right?

12 A. Yes.

13 Q. So is it fair to say that between the  
 14 time you met her in the summer of 2005 to the time  
 15 that you were charged in 2006 that you maintained  
 16 a friendship with her?

17 A. I couldn't really because of the -- I was  
 18 convicted of the crime we didn't keep in touch for  
 19 like a year or two.

20 Q. Yeah, I'm just asking up until the point  
 21 when you were charged with a crime did you  
 22 maintain a friendship with her?

23 A. I would say yes.

24 Q. Did you ever go to her house?

25 A. Did I go to her house? No.

1 A. No.

2 Q. How long were you in a relationship with  
 3 her after you met at the nightclub?

4 A. What do you mean by relationship? As a  
 5 friend?

6 Q. Well, yeah, maybe I should define it.  
 7 You had sex with this -- with the victim at  
 8 least -- I think we said it was ten times, so I'm  
 9 trying to understand, were you guys in a dating  
 10 relationship, did you just hang out? You had sex  
 11 once every three months when you saw each other?

12 A. We were -- I mean, I don't know -- like  
 13 we were friends. We were friends.

14 Q. And how long were you friends for from  
 15 the time that you met at the nightclub until you  
 16 were -- until you were charged with a crime?

17 A. We -- I mean, we became friends that  
 18 night, and I'm married to her until this day.

19 Q. Yeah, I'm trying to understand, though,  
 20 between the time you met at the nightclub and the  
 21 time that you were charged how much time are we  
 22 talking about? Is that three days or is that six  
 23 months or two years?

24 A. That I have known her?

25 Q. The time between when you met her at the

1 Q. Did she ever come to your house?

2 A. No.

3 Q. Did she drive a car?

4 A. Not when I -- when I met her, no, she  
 5 didn't drive a car.

6 Q. Do you know if she went to high school?

7 A. Did I know -- I didn't know her when we  
 8 first met, so I didn't ask her anything.

9 Q. Sure, but after you met did you learn  
 10 that she went to high school?

11 A. No, I didn't. We'd like -- when we  
 12 talked it wasn't about anything. It was just we  
 13 were there and things led to one thing and that's  
 14 it. We didn't really converse about if you're in  
 15 high school or stuff like that.

16 Q. So what did you guys do together as  
 17 friends?

18 A. We talked and just one thing led to  
 19 another, just talking about that night that we  
 20 went out or how -- what is she doing for the day,  
 21 things like that.

22 Q. Did she ever tell you that she's going to  
 23 high school for the day?

24 A. No.

25 Q. And when did you come to learn that she

1 was 15-years-old?

2 **A. When I got convicted, um, when the**  
 3 **detective came to my mother's house looking for**  
 4 **me.**

5 **Q. And aside from the fact that she was in a**  
 6 **nightclub was there anything else that indicated**  
 7 **that she was over 18 years old?**

8 **A. I mean, she was at the nightclub. She --**  
 9 **she was there so I would believe she was 18 years**  
 10 **old, yes.**

11 **Q. Did you know at the time that it was**  
 12 **illegal to have sex with kids under the age of 18?**

13 **A. Under the age of 18?**

14 **Q. Yeah.**

15 **A. Of course, yes.**

16 **Q. And you didn't try to find out how old**  
 17 **she was before you had sex with her?**

18 **A. I did not. The club was 18 and over, so**  
 19 **I would assume they were doing their job, you**  
 20 **know, 18 and over. They're closed now but 18 and**  
 21 **over, I would assume that the person that's**  
 22 **getting into the nightclub is over 18.**

23 **Q. Okay. And how often do you have to show**  
 24 **up in person to verify your information with law**  
 25 **enforcement?**

31  
 1 **A. Four, four times a -- so every -- four**  
 2 **times a year, I believe, so every three is it**  
 3 **quarters that you guys call it, I believe? I**  
 4 **don't know. Like, so my next verification is in**  
 5 **May, and then I believe -- it's like two or**  
 6 **three months so like four times a year.**

7 **Q. And when you verify do you verify at a**  
 8 **Michigan State Police Post or do you verify at a**  
 9 **sheriff's department or something?**

10 **A. At the police department.**

11 **Q. And is it the local police department?**

12 **A. Yes.**

13 **Q. And how long does it take you to verify**  
 14 **each time you go?**

15 **A. I would say 15 to 20 minutes.**

16 **Q. And aside from those four times a year**  
 17 **that you have to verify, have you had to show up**  
 18 **in person to update any other information of yours**  
 19 **since March of 2021?**

20 **A. Like update what information?**

21 **Q. Well, I think in the law if you get a new**  
 22 **address or you get a new car you have to update**  
 23 **information within a certain number of days. Have**  
 24 **you had to do that since March of 2021?**

25 **A. No.**

1 **Q. Are you aware that now you can mail in**  
 2 **updates to certain information?**

3 **A. I was not aware, no.**

4 **Q. So is it accurate to say that you haven't**  
 5 **mailed in any updates?**

6 **A. I don't have no updates to do so I**  
 7 **haven't mailed anything, and I go to the place and**  
 8 **register.**

9 (Whereupon Deposition Exhibit  
 10 No. 1 marked for identification.)

11 BY MR. JAMISON:

12 **Q. All right, I'm going to share my screen.**  
 13 **I'm not sure how well it's going to work on your**  
 14 **phone, but, let's see, in just a minute you should**  
 15 **see a document up on your screen. Do you see that**  
 16 **yet?**

17 **A. Yes. Um-hum, yes.**

18 **Q. That's a Michigan Sex Offender Registry**  
 19 **Mail-In Update. Have you seen that form before?**

20 **A. I have not, no.**

21 **Q. Okay. I'll scroll down. This is page**  
 22 **two of the document. This is explanation of**  
 23 **duties to register as a sex offender, and have you**  
 24 **seen this form before?**

25 **A. When I go register it comes with the**

33

1 **packet that I get.**

2 **Q. Okay, so that's a yes, you've seen this**  
 3 **one before?**

4 **A. Yes.**

5 **Q. I want to draw your attention to a couple**  
 6 **parts of this. So there's a line here that's line**  
 7 **four, it says, upon registering as a sex offender**  
 8 **I'm required by law to provide the following**  
 9 **information, and the first one is A there, it says**  
 10 **my legal name and alias; do you know what a legal**  
 11 **name is?**

12 **A. My name?**

13 **Q. Yeah, do you know what that means?**

14 **A. Yeah, my -- my full name, yeah.**

15 **Q. Yup. Do you know what a nickname is?**

16 **A. Yes.**

17 **Q. Do you know what any other name by which**  
 18 **I have been known, do you know what that means?**

19 **A. By the name that I go by only?**

20 **Q. So are you confused at all about what you**  
 21 **have to report to law enforcement regarding --**

22 **A. At certain times, yes.**

23 **Q. -- names?**

24 **A. My name, no.**

25 **Q. So we'll go through this sort of**

1 line-by-line, and, you know, I'll be asking you  
 2 basically the same questions to see if you have  
 3 any -- if you understand what you're supposed to  
 4 report and if you're confused about it, so if you  
 5 are confused about some provisions then I'm sure  
 6 we'll get to it.

7 **A. Okay.**

8 **Q.** So the next one asks for your social  
 9 security number. Do you know what a social  
 10 security number is?

11 **A. Yes.**

12 **Q.** And how would you describe that to  
 13 someone?

14 **A. What do you mean, to someone?**

15 **Q.** Like if somebody asked you -- if somebody  
 16 was like, hey, I don't know what a social security  
 17 number is, what would you explain? How would you  
 18 explain that to somebody?

19 **A. I mean, that's a personal identification  
 20 that you get when you're born.**

21 **Q.** Okay. And it says or alleged security  
 22 number that I have previously used. Do you have  
 23 any idea what that might mean?

24 **A. No.**

25 **Q.** Do you know what previously using

1 something means?

2 **A. I do.**

3 **Q.** What does it mean?

4 **A. Like something that I've used before.**

5 **Q.** Okay. So if you have to report to law  
 6 enforcement social security numbers that you used  
 7 before, do you know what that means?

8 **A. Yeah, that's my social security number.**

9 **Q.** Okay. And then the next line is 4C. It  
 10 says my date of birth and any alleged dates of  
 11 birth that I've previously used; do you see -- do  
 12 you know what that means?

13 **A. My date of birth, yes.**

14 **Q.** And dates of birth that I've previously  
 15 used, do you know what that means?

16 **A. Yes.**

17 **Q.** And what does that mean?

18 **A. My birthday.**

19 **Q.** Yup. And the next part is the address  
 20 where I reside or will reside; do you know what to  
 21 reside means?

22 **A. Where you're living.**

23 **Q.** Is there anything confusing about that  
 24 requirement to report to law enforcement that you  
 25 provide them the address where you reside?

1 **A. That's where I live at.**

2 **Q.** Is there anything --

3 **A. So no.**

4 **Q.** -- confusing about that?

5 **A. No.**

6 **Q.** Let's see, the next one is E, the name  
 7 and address of any temporary lodging used or to be  
 8 used when I'm away from my residence for more than  
 9 seven days; do you know what that means?

10 **A. That -- like what does -- I really don't  
 11 understand that, no.**

12 **Q.** Okay. Do you know what temporary lodging  
 13 means?

14 **A. No. No, I don't understand what it's  
 15 asking.**

16 **Q.** Do you know what being away from your  
 17 residence for more than seven days means?

18 **A. Like if I'm -- like if I'm not at my  
 19 house?**

20 **Q.** Are you asking a question or is that your  
 21 answer?

22 **A. No, I'm asking you a question, is that  
 23 like not being at my own home?**

24 **Q.** Yeah, I'm asking you if you understand  
 25 it. If you don't that's okay.

1 **A. I mean...**

2 **Q.** You don't know what it means to be away  
 3 from your house for more than seven days?

4 **A. Yes, I do, yes.**

5 **Q.** Okay. The next provision asks for the  
 6 name and address of your employer; do you know  
 7 what an employer is?

8 **A. Yes.**

9 **Q.** Do you have any confusion about what it  
 10 means to report the name and address of your  
 11 employer?

12 **A. No.**

13 **Q.** The next one asks for the name and  
 14 address of any school that I attend. Do you know  
 15 what a school is?

16 **A. I do.**

17 **Q.** Do you have any confusion about what  
 18 you'd have to report to law enforcement if you  
 19 attended a school?

20 **A. Am I confused, yes, about that, yes.**

21 **Q.** And what are you confused about?

22 **A. If I go to school bas- -- I can't be  
 23 within a thousand feet. I'm on the registry, I  
 24 can't be around school property, so I just don't  
 25 understand the registry and the laws of it. Some**

1 **things I understand, some things I don't.**

2 Q. So this provision in particular is asking  
 3 for the name and address of any school that you  
 4 attend.

5 **A. Okay.**

6 Q. So if you had to report the name and  
 7 address of any schools that you attend, do you  
 8 know what that means? Do you know what you'd have  
 9 to report?

10 **A. Yes.**

11 Q. Is there anything confusing about  
 12 providing the name and address of schools that you  
 13 attend?

14 **A. No.**

15 Q. The next provision talks about email  
 16 addresses. Do you report your email addresses to  
 17 law enforcement?

18 **A. I don't have an email address. I use my  
 19 wife's.**

20 Q. Okay, do you report that to --

21 **A. No, I just use it for this. I don't want  
 22 her to be involved in anything.**

23 Q. Is it fair to say, though, you have not  
 24 reported your wife's email address to law  
 25 enforcement?

1 **A. It's not my email so, yes, I haven't.**

2 Q. Okay, but you use that email?

3 **A. No, just -- just for this occasion --  
 4 occasion, sorry.**

5 Q. Your conviction was before July 1st,  
 6 2011, though, right?

7 **A. Yes, it was in 2005, 2006, I believe.**

8 Q. Okay. The next provision asks for  
 9 license plate number and description of any  
 10 vehicle that I own or operate; do you know what  
 11 that means?

12 **A. Yes.**

13 Q. And do you report vehicles that you own  
 14 or operate to the -- to law enforcement?

15 **A. If I owned, yes.**

16 Q. Is there anything confusing about that  
 17 provision that requires you to provide the license  
 18 plate number and description of any vehicle that  
 19 you own or operate?

20 **A. Can't hear you.**

21 Q. Can you hear me now?

22 **A. Yes.**

23 Q. Okay. So is there anything confusing  
 24 about the provision that requires you to report  
 25 your license plate number and description of the

1 vehicles that you own or operate?

2 **A. I can't hear it. Excuse me one second  
 3 here. Hello?**

4 Q. Yeah, I can hear you. Can you hear us?

5 **A. Yeah, I've got to put you on my ear. I  
 6 can't find the speaker button. So what was the  
 7 question again, I'm sorry?**

8 Q. Yeah, so the law requires you to report  
 9 the license plate number and description of any  
 10 vehicle that you own or operate. Is that  
 11 confusing at all to you?

12 **A. No.**

13 Q. And also report -- let me ask you this,  
 14 do you have a passport?

15 **A. No.**

16 Q. Do you have any professional licensing?

17 **A. No, just my driver's license.**

18 MS. DAVIDSON: Can I just ask for  
 19 the record, I'm sorry to interrupt, Mr. Doe, if  
 20 you are talking on the phone with it to your ear  
 21 does that mean you can no longer see this exhibit?

22 THE WITNESS: Yeah, I can't see it,  
 23 yeah. Oh, this -- hold on, let me see if I can --  
 24 go ahead. There we go. I'm trying to find the  
 25 speaker but I can't find it.

1 **A. It's not my email so, yes, I haven't.**

2 Q. Okay, but you use that email?

3 **A. No, just -- just for this occasion --  
 4 occasion, sorry.**

5 Q. Your conviction was before July 1st,  
 6 2011, though, right?

7 **A. Yes, it was in 2005, 2006, I believe.**

8 Q. Okay. The next provision asks for  
 9 license plate number and description of any  
 10 vehicle that I own or operate; do you know what  
 11 that means?

12 **A. Yes.**

13 Q. And do you report vehicles that you own  
 14 or operate to the -- to law enforcement?

15 **A. If I owned, yes.**

16 Q. Is there anything confusing about that  
 17 provision that requires you to provide the license  
 18 plate number and description of any vehicle that  
 19 you own or operate?

20 **A. Can't hear you.**

21 Q. Can you hear me now?

22 **A. Yes.**

23 Q. Okay. So is there anything confusing  
 24 about the provision that requires you to report  
 25 your license plate number and description of the

1 MR. JAMISON: Yeah. Syeda, you guys

2 have an office in Grand Rapids, don't you?

3 MS. DAVIDSON: Yes.

4 MR. JAMISON: Should we try to do  
 5 this so he's in your office?

6 MS. DAVIDSON: I can ask. Can we go  
 7 off the record for a minute?

8 MR. JAMISON: Sure, yeah.

9 (Discussion off the record.)

10 MR. JAMISON: Tami, let's go back on  
 11 the record.

12 BY MR. JAMISON:

13 Q. Okay, Mr. Doe, can you see the screen  
 14 now?

15 **A. Yes, sir.**

16 Q. And you can hear us okay?

17 **A. Yes.**

18 Q. All right. And then I want to draw your  
 19 attention there to paragraph six. It's right at  
 20 the top of page three. It says that you have to  
 21 report to law enforcement within three days if you  
 22 have a new address; do you see that?

23 **A. Yes.**

24 Q. Do you know what that means?

25 **A. Yes.**

1 Q. What does that mean in your own words?  
 2 A. **That if I get a new address to report it.**  
 3 **Like if I move from where I'm from to report.**  
 4 Q. And then the second part of that, 6B, it  
 5 says the name and address of my employer upon  
 6 obtaining, changing, or discontinuing employment  
 7 including volunteer work; do you see that?

8 A. **Yes.**

9 Q. What does that mean in your own words?  
 10 A. **I don't understand that. Because I work**  
**11 for a cell phone company that requires sometimes**  
**12 to move to store to store, so do I -- I don't know**  
**13 if I have to report that.**

14 Q. Okay. Is the name of your employer the  
 15 same?

16 A. **Yes.**

17 Q. And is the -- is there a home office or  
 18 are these retail stores that you might work at  
 19 different retail stores?

20 A. **They're different retail.**

21 Q. And what have you done to try to  
 22 understand what the law requires regarding  
 23 reporting that information?

24 A. **What do you mean, what -- what have I**  
 25 **done?**

43  
 1 Q. Well, so the way I understood your  
 2 testimony is you're confused by this and what you  
 3 have to report, so I'm trying to understand what  
 4 you've done to try to understand what the law  
 5 requires you to do.

6 A. **I mean, I limit myself to a lot of things**  
 7 **so I won't have to do that, so I won't have that**  
 8 **issue or problem to do those things. I just don't**  
 9 **do it or get anything because of that.**

10 Q. Okay, so have you read the law? Like  
 11 have you tried to look it up online or anything?

12 A. **Yeah, but I don't understand the law.**  
 13 **Like I'm -- I'm not a lawyer, I never went to law**  
 14 **school, and it's very difficult for me to**  
 15 **understand the law. Like it's very hard for me.**

16 Q. Have you ever sought the advice of an  
 17 attorney about what you have to report?

18 MS. DAVIDSON: Objection,  
 19 privileged.

20 MR. JAMISON: I don't think seeking  
 21 the advice of an attorney is privileged. I think,  
 22 you know, if I were to ask what advice was given  
 23 would be different but just whether he sought the  
 24 advice of an attorney I don't think is privileged.

25 MS. DAVIDSON: I think that the

1 contents of the discussion and the substance of  
 2 what advice was sought is privileged.

3 MR. JAMISON: Okay. Are you going  
 4 to direct your client not to answer that?  
 5 MS. DAVIDSON: He can answer this  
 6 question, but he cannot talk about any advice he  
 7 was given.

8 BY MR. JAMISON:

9 Q. Okay, so, Mr. Doe, I'll ask the question  
 10 again. Have you sought the advice of an attorney  
 11 about what you have to report regarding your  
 12 employer?

13 A. **Yes.**

14 Q. And have you reached out to -- or have  
 15 you done anything else to try to understand what  
 16 your reporting obligations are about your  
 17 employer?

18 A. **Like what? I don't understand what**  
 19 **you're saying right now. What do I have -- like**  
 20 **what are you asking?**

21 Q. I'm just trying to understand like what  
 22 efforts did you make to understand what you're  
 23 required to do by law?

24 A. **I mean, I -- I try to follow it as much**  
 25 **as I can. Like whatever they tell me I do.**

45

1 Q. Whatever who tells you?  
 2 A. **The -- like anything that has to do with**  
 3 **the registry, like if I move I've got to give the**  
 4 **address. If I get a new employer I've got to give**  
 5 **that address, but I haven't had to do that because**  
 6 **I've been with my employer for ten years so I**  
 7 **haven't done it.**

8 Q. Do you think the sex offender registry  
 9 protects the public in any way?

10 A. **It -- it does. It depends, I guess.**

11 Q. And how does it protect them?

12 A. **In that the public know who -- who's at**  
 13 **risk and who's committing these crimes.**

14 Q. Do you think the sex offender registry  
 15 might encourage victims to come forward?

16 MS. DAVIDSON: Objection, calls for  
 17 speculation. You can still answer.

18 THE WITNESS: So what was the  
 19 question again?

20 BY MR. JAMISON:

21 Q. Do you think the sex offender registry  
 22 might encourage victims to come forward?

23 A. **I don't know.**

24 Q. Do you know -- do you know anyone that's  
 25 been a victim of sexual assault?

**A. I do not, no.**

Q. All right. So I'm going to share my screen again. There's a -- this -- we'll call this Exhibit 2, and what this is is this is a table that we've used in other depositions, and it has word-for-word descriptions from court cases of criminal sexual conduct.

(Whereupon Deposition Exhibit No. 2 marked for identification.)

BY MR. JAMISON:

Q. So I'll share the screen. What you'll see is you'll see like a row number. It should be up there in just a minute, but you'll see like, you know, this is row 30, then 31, 32. We're going to go through, I'm going to ask you to read some of these, and then I'll ask you a few follow-up questions.

I think Syeda probably has an objection here, so we'll let her address that now.

MS. DAVIDSON: I do, thanks very much. We acknowledge that due to the court's order you are permitted to ask certain questions related to this exhibit so long as the questioning does not become impermissibly oppressive due to excessive length or an exorbitant number of sample

cases. However, I would like to place a standing objection on the record to any line of questioning related to this exhibit for the reasons already articulated to the court at the status conference and in our memo.

MR. JAMISON: Okay, the objection is noted.

BY MR. JAMISON:

Q. So, Mr. Doe, if you could read what's in row 30 there. You can just read it to yourself and let me know when you're done, and then I'll ask you a few questions.

**A. Okay.**

Q. So if this -- this criminal defendant, it looks like the last name is Stevens, if Stevens lived next door to you would you want to know?

**A. If he was at risk and he's a person that's always doing it, yes.**

Q. And how would you determine whether he's still at risk?

**A. If he keeps committing the same crime over and over.**

Q. And when you say he keeps committing the same crime over and over, what do you mean by that?

**A. By what he was -- from what I read he was****raping his daughters and stepdaughter.**

Q. The way that I read this it sounds like he did this continually for a number of years until the children were removed from the home, so is that what you mean by him continually doing it or did you mean something else?

**A. Yeah, if he continues to do that I would like to know that, yes.**

Q. Continues from when, though, from when he gets charged?

**A. From when he was charged, yes.**

Q. Okay. So it's your testimony that if this criminal defendant committed these crimes you would only want to know if he was caught and charged again?

**A. If he was at risk, yes.**

Q. And if I understood your testimony correctly being at risk means that he was caught again for criminal sexual conduct?

**A. Correct, if he's a high risk I would love to know, yes.**

Q. And if he were one of your kids' soccer coaches would you want to know?

**A. If he was a high risk, yes.**

Q. And how would you determine if he's a high risk?

**A. If he --**

MS. DAVIDSON: Objection, foundation -- hang on, Mr. Doe. Objection, foundation, he's not an expert. You can answer.

THE WITNESS: If he was doing the same crime over and over I would like to know, yes.

BY MR. JAMISON:

Q. And if he were a scout leader would you want to know or a scout leader for one of your kids?

**A. Again, if he's high risk, yes. If he continues to do the same thing, yes.**

Q. And if he sexually assaulted his daughter repeatedly between the ages of 10 and 14, would you consider that to be a high risk?

MS. DAVIDSON: Objection, foundation, he's not an expert. You can answer.

THE WITNESS: I don't -- I don't know how to answer that.

BY MR. JAMISON:

Q. Okay. Can you read what's in row 31 to yourself?

1      **A. Yes. Okay.**

2      **Q.** Would you want to know if that criminal  
3      defendant was your child's soccer coach?

4      **A. Yes.**

5      **Q.** Would you want to know if they were  
6      babysitting your children?

7      **A. Yes.**

8      **Q.** All right. Could you read row 32?

9      **A. Okay.**

10     **Q.** Would you want to know if that criminal  
11    defendant lived next door to you?

12     **A. Yes.**

13     **Q.** Would you want to know if they were  
14    giving kids piano lessons?

15     **A. If they gave my kids their pianos, yes.**

16     **If they didn't, no.**

17     **Q.** Could you read row 33?

18     **A. Okay.**

19     **Q.** Would you want to know if that criminal  
20    defendant were babysitting your kids?

21     **A. Yes.**

22     **Q.** Would you want to know if they were a  
23    volunteer soccer coach for your children?

24     **A. If they played the sport, yes.**

25     **Q.** Could you read row 34?

51

1      **A. Okay.**

2      **Q.** Would you want to know if that criminal  
3      defendant were a pastor at the church where your  
4      kids attend?

5      **A. Yes.**

6      **Q.** Would you want to know if they were  
7      volunteering to supervise children?

8      **A. Yes.**

9      **Q.** Could you read row 35?

10     **A. Okay.**

11     **Q.** Would you want to know if that criminal  
12    defendant were coaching your kids?

13     **A. Yes.**

14     **Q.** Have you ever contacted a member of the  
15    Michigan legislature to try to change the Sex  
16    Offender Registry Act?

17     **A. What do you mean?**

18     **Q.** Do you know who writes the laws?

19     **A. I do not, no.**

20     **Q.** Do you know if the governor writes the  
21    laws?

22     **A. I do not know.**

23     **Q.** Do you know or did you know that under  
24    the old law you couldn't come within a thousand  
25    feet of a school?

1      **A. Yes, yup, yes.**

2      **Q.** And do you know if that provision --  
3      sorry, do you know that provision has been removed  
4      from the law?

5      **A. From the law in general?**

6      **Q.** From the Sex Offender Registry Act, are  
7      you aware that that was removed from the law?

8      **A. For the moment, yes.**

9      **Q.** And are you aware -- I think we've  
10     already covered this, but are you aware now that  
11    you can update some information via mail?

12     **A. Yeah, you told me that, yes.**

13     **Q.** Okay, but before I told you you weren't  
14    aware of that?

15     **A. I was not aware of that, no.**

16     **Q.** Under the old law, and the old law is  
17    what existed prior to March of 2021, do you know  
18    whether you had to update everything in person or  
19    could some of it be done by mail?

20     **A. Everything was in person from what I  
21    understood.**

22     **Q.** Do you know how many criminal laws there  
23    are in Michigan?

24     **A. I do not, no.**

25     **Q.** Do you know if you can be charged with a

53

1      crime even if you don't know it exists?

2      **A. I don't know.**

3      **Q.** All right, so like this is total  
4      hypothetical, right, but if there was a law that  
5      says you can't wear two left shoes and you wore  
6      two left shoes, do you know if you could be  
7      convicted of that?

8      **A. I don't -- I don't know how to an- -- I  
9      don't know. I mean, if that's the -- I mean, I  
10     don't have two left feet so I don't know.**

11     **Q.** All right. I guess what I'm getting at  
12    do you have to know what every single law is in  
13    the State of Michigan to be convicted of it or can  
14    you be convicted if you violate the law regardless  
15    of whether you know that it exists?

16     **MS. DAVIDSON:** Objection, calls for  
17    speculation. You can still answer.

18     **THE WITNESS:** I guess. I can't give  
19    you a direct answer. I don't know.

20     **MR. JAMISON:** I think that's all I  
21    have.

22     **MS. DAVIDSON:** Okay, I just have a  
23    little bit of follow-up. Do you need a break or  
24    are you okay.

25     **THE WITNESS:** I'm good.

## 1 EXAMINATION

2 BY MS. DAVIDSON:

3 Q. Okay. So just a little bit of follow-up  
 4 here. So, first, has your status on the registry  
 5 made it difficult to be involved in your kids'  
 6 lives?

7 A. **Yes. When I was on the public registry?**

8 Q. Yes.

9 A. **Yes, it has.**

10 Q. Can you -- can you talk about the ways  
 11 that being on the public registry made that  
 12 difficult?

13 A. **I couldn't be within a thousand feet of  
 14 my kids' school. I couldn't attend to any of  
 15 their plays, games, any activities, daddy-daughter  
 16 dances.**

17 Q. Is that your whole answer?

18 A. **Yes.**

19 Q. Okay, thank you. I just wasn't sure if  
 20 there was more. You testified earlier about your  
 21 employment. You said somebody knew that I was on  
 22 the registry and that's how I lost my job. Can  
 23 you explain what happened there?

24 A. **Yes. I knew the lady that worked with me  
 25 at the factory, and she had -- I overheard her**

55

1 **going to the HR, and that same night I overheard  
 2 her say that she was going to HR she showed him  
 3 that I was on the registry, that same night before  
 4 my shift was over I got escorted out.**

5 Q. Thank you for explaining that. You also  
 6 testified that you couldn't live with your mother  
 7 or your sister after your conviction. Can you  
 8 explain why you weren't able to live with your  
 9 mother or your sister?

10 A. **Because I was on the registry and that's  
 11 what they looked up was the registry, and they  
 12 gave my mother 24 hours for me to be removed from  
 13 her house -- apartment.**

14 Q. When you say they is that your mother's  
 15 landlord?

16 A. **Yes.**

17 Q. And did the same thing happen with your  
 18 sister or something different?

19 A. **Same thing happened with my sister.**

20 Q. Did you try to live in other homes with  
 21 your family before you moved into the house that  
 22 you're in now?

23 A. **Yes, and the same thing happened, so once  
 24 I got into this house, like he's my father-in-law  
 25 and obviously he knows, and -- and I'm here.**

1 Q. Did you have problems finding a place to  
 2 live before you found this house?

3 A. **Yes.**

4 Q. Can you describe the extent of those  
 5 problems?

6 A. **Yes. Where I looked at because I was on  
 7 the registry I can't be near schools and most of  
 8 the houses that were for rent is where -- near  
 9 schools and that's what best fits for my family,  
 10 for the kids and all that, and I couldn't get into  
 11 the housing in general because of the public  
 12 registry.**

13 Q. Okay, so just to clarify, you said that  
 14 you were having problems because you wanted  
 15 your -- you wanted to be near schools for your  
 16 kids but then also generally you couldn't get in  
 17 because of the registry, so is that two separate  
 18 reasons or is that one reason?

19 A. **Two -- both, I guess both. Two reasons,  
 20 because I couldn't be near school and I couldn't  
 21 be within -- within -- I didn't really understand  
 22 the law and I still don't. Like what is it that I  
 23 can't be near. I don't know if the malls, you  
 24 know, because kids go there so I don't know.  
 25 That's confusing to me.**

57

1 Q. Okay, so let me just back up a little  
 2 bit. So my question is more when you were looking  
 3 for housing before you -- before you lived in the  
 4 house that you're in now.

5 A. **Um-hum.**

6 Q. Did you encounter problems looking for  
 7 housing aside from being near a school?

8 A. **Yes.**

9 Q. What were those problems?

10 A. **When I -- when I'd go to them to get the  
 11 apartment everything would be good, and then when  
 12 they do the registry to check if I have anything,  
 13 you know, like registry-wise, the SORA and the  
 14 felony, the criminal conduct, I was not approved  
 15 of anything because I was on both registry and the  
 16 conviction.**

17 Q. Okay. And do you remember being asked  
 18 whether you think that the registry helps people?

19 A. **Yes, I believe he asked me, yes.**

20 Q. And do you remember that your answer was  
 21 that it depends?

22 A. **Correct, yes.**

23 Q. Can you explain what you mean when you  
 24 say that it depends?

25 A. **It depends if the person is still a high**

1 risk. You know, what was the offense? Like, I  
2 believe people deserve a second chance, and I  
3 don't think everybody that's on the registry is  
4 the same.

5 Q. Is that your whole answer?

6 A. Hum?

7 Q. That's your whole answer? I'm not  
8 trying to --

9 A. Yes.

10 Q. -- get you to saying anything else.

11 A. Yes.

12 Q. I'm just making --

13 A. I'm sorry, yes, yes. I'm sorry.

14 Q. Okay, thank you. I don't have anything  
15 else.

16 MR. JAMISON: Okay. Yeah, I think  
17 we're all set. I appreciate your time, Mr. Doe.

18 (Whereupon Deposition concluded  
19 at 2:45 p.m.)

20  
21  
22  
23  
24  
25

1 STATE OF MICHIGAN )  
2 ) SS  
2 COUNTY OF KENT )

3  
4 I, Tamara Staley Heckaman, Certified  
5 Shorthand Reporter and Notary Public in and for  
6 the County of Kent, State of Michigan, do hereby  
7 certify that the foregoing Deposition was taken  
8 before me remotely at the time and place  
9 hereinbefore set forth.

10 I further certify that said witness was  
11 duly sworn in said cause to tell the truth; that  
12 the testimony then given was reported by me to the  
13 best of my ability; subsequently produced under my  
14 direction and supervision; and that the foregoing  
15 is a complete, true, and correct transcript of my  
16 original shorthand notes.

17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand and seal this 24th day of April, 2023.

19  
20

21 \_\_\_\_\_  
22 Tamara Staley Heckaman, CSR-3443,  
23 Certified Shorthand Reporter,  
24 and Notary Public, County of  
25 Kent, State of Michigan.

My Commission Expires: 5-20-24